limited only by this definition will be forced to give to the

they must acquit, though it may ap-pear from the evidence that the prob-abilities of guilt are greater than the probabilities of lunocence. Says the



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wound, given with a deadly weapon in the previous possession of the slayer, without any provocation, or even with without any provocation, or even with slight provocation, is prima facie wilful, deliberate and premeditated killing, and throws upon the prisoner the necessity of showing extenuating circumstances. It is not necessary that the intention to kill should exist any particular length of time prior to the actual killing. It is only necessary that such intention should come into existence for the first time at the moment of the killing or any time previously.

Finally, it must be remembered that he defense will have to convince, not one mind, but twelve, and the law will old piano look like new if you will a second to the law will old piano look like new if you will a second to the law will old piano look like new if you will a second to the law will old piano look like new if you will a second to the law will old piano look like new if you will a second to the law will old piano look like new if you will a second to the law will old piano look like new if you will a second to the law will old piano look like new if you will a second to the law will old piano look like new if you will a second to the law will be sec go so far as to charge each juryman that he must steadfastly adhere to his

ewn convictions, regardless of how any or all of the others may think.

On this point the court in the McCue case quoted often above said:

"Upon the trial of a criminal case by a jury the law contemplates the concurrence of twelve minds in the concurrence of twelve minds in the conclusion of guilt before a conviction can be had. Each individual juror must be saitsied beyond a reasonable doubt of the defendant's guilt before he can, under his oath, consent to a verdict of guilty. Each juror should feel the responsibility resting upon him as a member of the jury, and should realize that his own mind must be convinced beyond a reasonable doubt of

and how he will fare at the hands of the trained lawyers who are deliberately laying his path with pitfalls is the subject of many a speculative moment just now. In a contest of nimble wits he may not pass unscathed. Upon him much will depend. The Binford woman is ar enigma as yet, though she has filled many columns of newspaper space. Nobody knows on which side she will finally be found. The Motive.

Serious attention is being given by many to the much-discussed motive, and here if anywhere is a weak link in the rather staggering mass of evidence assembled by the Commonwealth. It would seem that no ordinary limpulse could move the hand of a husband against the mother of his

weath. It would seem that no ordinary inpulse could move the hand of a husband against the mother of his new-born child, and yet the considerations that were claimed at first to have led Henry Beattle to do his young wife to death are essentially ordinary and commonplace—nothing more than the enjoyment of an illicit association that had already existed several years, and that apparently could have continued to exist indentities had he so chosen and exercised even the most ordinary care in covering his tracks. Nobody—or at least few—ever suspected him of being a model of virtue: he admits this much himself. He had no immeculate standard to support. A few deviations from the straight and narrow path which in another might have proven disastrous would have attracted no special attention to him simply because, according to all accounts, he had never trodden that path. Hence even the

attention to him simply because, according to all accounts, he had never trodden that path. Hence even the most elementary regard for the proprieties would have been sufficient, and he might have gone bilthely on with his Jekyll-Hyde existence, as indeed was the case for many weeks.

Mountrous Crime.

And yet it is assumed that to insure what already appeared safe enough and to prevent what seemed in no danger of occurring, he planned a bunglesome and monstrous crime, hopping to contradict all the criminal history of the Commonwealth and escape the fangs of a law that had unfailingly run to earth a group of others far more adept than he in the murderons art. After all, what was to be gained when it was done?

The girl, in her own statement, fild not expect to become his wife; spearently the subdued charms of upe fireside had few, if any, attactions for her. She was out for 'g good time,' and when Henry was not about, there was always some other to help speed the listless hours. That girch genuine affection as she was capable of feeling was given to the prisoner there can be no doubt; her dary proves as much. But her infatuation, such as it was, did not go as far as the altaredither in the subdued charms of the first and the subdued of the subdued charms of the first and the subdued of the s

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This or something like it will be the

merely the problem of whether or not, under the law, there is possibility that the law, there is possibility that the law, there is possibility that the law there is possibility that the law there is possibility that the law that the law there is a struction of the Chesapeake and Ohlo Beattle may yet walk forth a free man to rate least escape the death penalty. The conclusion is an affirmative, shared by hundreds in the city to-day. The physical structure is the case of the Commonwealth, as it stands revealed at present, while impressive to a degree, is, after all, in the judgment of many, not as strong, from the legal point of view, as had been supposed. But the Commonwealth, too, may be holding a few cards in reserve.

CARTER—Dipd, at his residence, 115 West Cary Street, Sunday night, August 20, WILLIAM F. CARTER, aged

THIRD VENIRE IN COURT TO-DAY

Beattie Trial Will Have Full Jury When It Starts in Earnest To-Morrow.

To-Morrow.

To-Morrow.

To-Morrow.

To-Morrow.

Those nearest hoped high life might be spared. He leaves a widow, to whole spared hoped high life might be spared. He leaves a widow, to whole spared high life might be spared. He leaves a widow, to whole spared high life might be spared. He leaves a widow, to whole spared high life might be spared. He leaves a widow, to whole spared high life might be spared high life might be spared. He leaves a widow, to whole spared high life might be spared high life might be spared. He leaves a widow, to whole spared high life might be spared high life might be spared high life might be spared. He leaves a widow, to whole spared high life might be spared high life might be spared. He leaves a widow, to whole spared high life might be spared high life might be spared high life might be spared. He leaves a widow, to whole spared high life might be spared high life might be spared high life might be spared. He leaves a widow, to whole approach the sympathy of the entire community goes out. Mr. Pierce had been for many years with the community goes out. Mr. Pierce had been for many years with the community goes out. Mr. Pierce had been for many years with the community goes out. Mr. Pierce had been for many years with the community goes out. Mr. Pierce had been for many years with the community goes out. Mr. Pierce had been for many years with the community goes out. Mr. Pierce had been for many years with the community goes out. Mr. Pierce had been for many years with the community goes out. Mr. Pierce had been for many years with the community goes out. Mr. Pierce had been for many years with the community goes out. Mr. Pierce had been for many years with the community goes out. Mr. Pierce had been for many years with the community goes out. Mr. Pierce had been for many years with the community goes out. Mr. Pierce had been for many years with the community goes out. Mr. Pierce had been for many years with the community goes out. Mr. Pierce had been for many years with the com

Times-Dispatch Pony Contest Nomination Blank

Counts 1,000 Votes

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	Address	 		
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Ag	e			

As a contestant in The Times-Dispatch Pony and Cart Contest, subject to the

(Name of person making nomination.)

Under no circumstances will the name of the person making the nomination be divulged to any one. This is for our information only CONTEST CLOSES SEPTEMBER 20th

Good for 1 Vote

In The Times-Dispatch Pony Contest I Cast 1 Vote for

This ballot must be voted before August 29.

CARTER—Died, at his residence, 115
West Cary Street, Sunday night, August 20, William F. CARTER, aged
seventy-six years.
Funeral will be TO-DAY (Wednesday), at 5 P. M. Interment Riverview Cemetery.

view Cemetery.

PIERCE—Died, suddenly, at Clifton Springs, MR HENRY PIERCE, of 2243 Wost Grace Street. His death has brought sorrow to the hearts of his many friends, by whom he was loved for his many noble qualities of heart. His personality endeared all who came in contact with him, and his unswerving sense of duty to what was noble and best in man. For the past year his health failed. Those negrest hoped his life might be spared. He leaves a widow, to whom the sympathy of the entire community goes out. Mr. Pierce had been for many years with the Chesapeake and Ohio road, holding a high position, and was a graduate of Cornell University.

His remains were taken to Pauling, N. Y.

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